



KYOGLÉ COUNCIL

EXTRAORDINARY MEETING AGENDA

**TO BE HELD AT KYOGLE COUNCIL CHAMBERS, STRATHEDEN
STREET, KYOGLE**

ON MONDAY 28 JUNE 2010

Commencing at 3.30 p.m.

GENERAL MANAGER: ARTHUR PIGGOTT

Dear Councillor,

In accordance with the provisions of the Local Government (General) Regulation 2005, you are hereby notified of the following **Extraordinary Meeting** to be held at the Kyogle Council Chambers, on **Monday 28 June 2010, at 3.30 p.m.**

DECLARATION OF PECUNIARY INTEREST

Councillors and Senior Staff are reminded to consider whether a Pecuniary Interest exists in any matter on the Agenda for this Meeting or raised during the course of the Meeting. The term "Pecuniary Interest" should be extended to include possible "conflicts of interest" and immediately declared prior to discussion of the Agenda item. Where a direct or indirect pecuniary interest exists, the member must refrain from commenting on or voting on the subject matter and must leave the Chamber.

BUSINESS

- | | |
|--------|-----------------------------------|
| Item 1 | Apologies |
| Item 2 | Opening Prayer |
| Item 3 | Traditional Lands Acknowledgement |
| Item 4 | Declaration of Interests |
| Item 5 | Report from General Manager |

ARTHUR PIGGOTT
GENERAL MANAGER

COUNCIL PRAYER

"Almighty God, Ruler of all the Nations, we ask for your blessing upon this Meeting of Council.

Give us your wisdom to work in harmony and direct and prosper all that we do to the advancement of your glory and the true welfare of the People of the Council Area.

AMEN

Adopted by Council on October 21, 1991.
Resolution 91 /G 1159

Note: Council Policy is for the Mayor or Chairperson to lead the Council Meeting in the Prayer at the start of the first Meeting of the day.

Council acknowledges that this meeting is being held on the Traditional Lands of the Bundjalung people and we acknowledge elders, both past and present.

Adopted by Council on 11 December 2006.
Resolution 111206/21

DISCLAIMER

The advice or information contained within the Minutes enclosed with this Business Paper is given by the Council without liability or responsibility for its accuracy. Reliance cannot be placed on this advice or information until the Minutes have been duly accepted as an accurate record and confirmed by Resolution of Council.

(ARTHUR PIGGOTT),
GENERAL MANAGER.

EXTRAORDINARY MEETING AGENDA

Monday 28 June 2010

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ITEM 1 APOLOGIES

ITEM 2 OPENING PRAYER

ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT

ITEM 4 DECLARATION OF INTERESTS

Nil.

ITEM 5 GENERAL MANAGER 'S REPORT

5.1 2010-2011 MANAGEMENT PLAN

Summary/Purpose

This report presents the 2010/2011 Management Plan for adoption. At the time of writing this report the Division of Local Government (DLG) had not provided notification as to whether Council's above rate pegging application had been approved. The DLG have advised that the Minister is expected to announce the results of the special variation applications at the same time and by no later than 7 July 2010. Under Section 533 of the Local Government Act 1993, a rate or charge must be made by 1 August in the year for which the rate or charge is made.

It is proposed to make the rates and charges that are not subject to the application, and adopt the fees and charges and borrowings.

The Special Stormwater and Flood Management Rate or the \$25.00 Stormwater Management Charge will need to be adopted at a later date prior to August 1, 2010.

Strategic Priority Area

Customer service

Report

Making of Rates and Charges

Council must after consideration of any submissions, formally make all rates and charges to enable levies to be effected.

It should be noted that the general rates advertised in the Revenue Policy have been calculated so as to include a 2.6% increase under Section 508 of the Local Government Act for the 2010/2011 rating year

Adoption of Fees

Fees may be charged under Section 608 for any services Council provides, other than a service provided, or proposed to be provided, on an annual basis for which it is authorised or required to make an annual charge under section 496 or 501 of the Act. In accordance with Section 610F of the Local Government Act 1993, the proposed fees for the various services provided or intended to be provided by Council over the period 1 July, 2010 to 30 June, 2011.

Borrowings

Outlined in the Revenue Policy of the Management Plan are details of borrowings proposed to be undertaken during the 2010/2011 year. They comprise of two loans one for Water Infrastructure totalling \$300,000 and the other \$300,000 for Waste Services.

Section 621 of the Local Government Act 1993 authorises Council to borrow at any time for any purpose under the Act. Section 624 allows the Minister for Local Government to impose borrowing limitations or restrictions from time to time. Kyogle Council does not have any limitations or restrictions imposed by the Minister.

Submissions

Submissions in relation to Council's 2010/2011 Draft Management Plan were invited through notices in the Express Examiner, May 5, 2010, Council's Web Site and the Kyogle Council May Newsletter.

Four submissions were received during the exhibition period and are attached to this report as confidential attachments for Councillors. The subject of the submissions is summarised as follows:-

1. Opposing the introduction of the special rate
2. Requesting initial seal of Brown Knob Road
3. Requesting that the Roadside Vegetation Management Plan be fully implemented
4. Financial Assistance for the KCEDC

Consideration of Submissions

1. This information has been forwarded to the Division of Local Government.
2. Funding for these sealing works are not include in the 2010/2011 Management Plan.
3. The Roadside vegetation Management Plan has been adopted by Council in December 2002. Work is carried out in accordance with this plan.
4. This is not included in the 2010/2011 Management Plan and correspondence has been sent advising that it does not appear to meet the Futures Fund criteria.

Conclusion

Council has advertised its Draft Management Plan for 2010/2011 in accordance with the provisions of Section 405 of the Local Government Act 1993, and has considered submissions to its Draft Management Plan in accordance with Section 406 of that Act.

Recommendation

1. That Council adopt the amended 2010/2011 Management Plan, incorporating any editing changes, alterations to strategies, budget estimates or fees and charges, as necessary;
2. That a Farmland Rate, to be known as the "Farmland Rate" of 0.219745 cents in the dollar on the Land Value be now made for the rating year 1 July, 2010 to 30 June, 2011 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Farmland in accordance with Section 515 of the Local Government Act 1993, subject to a base amount of \$173.00 which is expected to yield 14.4% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
3. That a Residential Rate, to be known as the "Residential Rate" of 0.520700 cents in the dollar on the Land Value be now made for the rating year 1 July, 2010 to 30 June, 2011 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Residential in accordance with Section 516 of the Local Government Act 1993, subject to a base amount of \$173.00 which is expected to yield 43.3% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
4. That a Residential Rate, to be known as the "Residential – Kyogle" Rate of 0.718500 cents in the dollar on the Land Value be now made for the rating year 1 July, 2010 to 30 June, 2011 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential - Kyogle (being all rateable land (other than business) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$205.00 which is expected to yield 24.5% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
5. That a Residential Rate, to be known as the "Rural Residential Rate" of 0.332000 cents in the dollar on the Land Value be now made for the rating year 1 July, 2010 to 30 June, 2011 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential Rural (being parcels of residential land that are the site of a dwelling and are between 2 and 40 hectares in area, or which do not have a significant and substantial commercial purpose or character) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$173.00 which is expected to yield 21.7% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
6. That a Business Rate, to be known as the "Business Rate" of 0.379630 cents in the dollar on the Land Value be now made for the rating year 1 July, 2010 to 30 June, 2011 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as

Business in accordance with Section 518 of the Local Government Act 1993, subject to a base amount of \$173.00 which is expected to yield 42.3% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

7. That a Business Rate, to be known as the “Business – Kyogle” Rate of 0.676900 cents in the dollar on the Land Value be now made for the rating year 1 July, 2010 to 30 June, 2011 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Business - Kyogle (being all rateable land (other than residential) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 518 and 529 of the Local Government Act 1993, subject to a base amount of \$205.00 which is expected to yield 16.1% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
8. That the following Water Supply Charges be made for the rating year 1 July, 2010 to 30 June, 2011, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Access Charges

• Vacant Property	\$80.00
• 20mm Connection	\$246.00
• 25mm Connection	\$387.00
• 32mm Connection	\$634.00
• 40mm Connection	\$985.00
• 50mm Connection	\$1,549.00
• 80mm Connection	\$3,942.00
• 100mm Connection	\$6160.00
• Fire Service Connection	\$246.00

Consumption Charges

Consumption up to 200kL usage	\$1.14 per kL
Consumption above 200kL usage	\$1.75 per kL
Home Dialysis allocation first 100 kL	no charge

9. That the following Residential Sewerage Charges be made for the rating year 1 July, 2010 to 30 June, 2011, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Sewerage Annual Charge	\$569.00
Vacant Annual Sewerage Charge	\$ 75.00

10. That the following Non Residential Sewerage Charges be made for the rating year 1 July, 2010 to 30 June, 2011, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993; subject to a minimum amount of \$569.00 in accordance with Section 542 of the Local Government Act 1993;

(a) Non-Residential Sewerage

Access Charges

• Vacant property	\$ 75.00
• 20mm Connection	\$224.00
• 25mm Connection	\$352.00
• 32mm Connection	\$576.00
• 40mm Connection	\$896.00
• 50mm Connection	\$1,408.00
• 80mm Connection	\$3,584.00
• 100mm Connection	\$5,600.00

Consumption Charges

\$0.91 per kl

11. That the following Trade Waste Charges be made for the rating year 1 July, 2010 to 30 June, 2011, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

(a) Trade Waste – Dischargers requiring nil or minimal pre-treatment

Annual Trade Waste Fee	\$72.00
Re-inspection Fee	\$68.00

(b) Trade Waste – Dischargers requiring prescribed pre-treatment

Annual Trade Waste Fee	\$72.00
Re-inspection Fee	\$68.00
Consumption Charge	\$1.00/kL

(c) Trade Waste – Large dischargers (over 20kl/d)

Annual Trade Waste Fee	\$477.00
Re-inspection Fee	\$68.00
Excess mass charges	per Appendix B

(d) Trade Waste – Discharges with a sewerage dump point

Annual Trade Waste Fee	\$569.00
Re-inspection Fee	\$68.00

12. That the following Domestic Waste Management charges be made for the rating year 1 July, 2010 to 30 June, 2011, in accordance with Section 496 and Sections 502 and 503 of the Local Government Act 1993;

• Occupied Premises	\$293.00
• Unoccupied Premises	\$ 25.00

13. That the following Commercial Waste charges be made for the rating year 1 July, 2010 to 30 June, 2011, in accordance with Section 501 of the Local Government Act 1993;

- Commercial Properties \$326.00

14. That the following On Site Sewerage Management charges be made for the rating year 1 July, 2010 to 30 June, 2011, in accordance with Section 501 of the Local Government Act 1993;

- OSMS Annual Charge \$40.00

15. That Council set the Rate of Interest, to apply for the rating year 1 July, 2010 to 30 June, 2011, on rates, charges, and debtor accounts which remain unpaid after they become due and payable, at 9% per annum, accruing on a daily basis, in accordance with Section 566 of the Local Government Act 1993;

16. That Council adopt the Schedule of Fees and Charges contained in the Appendix to the Management Plan in accordance with Sections 608, 609 and 610 of the Local Government Act 1993;

17. That subject to the approval of the Minister for Local Government, Council approve the borrowing proposed and authorise the Mayor and General Manager to sign under Common Seal, any documentation relating to the proposed loans.

KYOGLE COUNCIL



CONFIDENTIAL ATTACHMENTS

EXTRAORDINARY COUNCIL MEETING

ON 28 JUNE 2010

